IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 8412 of 2006

For Approval and Signature:

HONOURABLE MS. JUSTICE R.M.DOSHIT

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NAVINBHAI G. DALSANIA & 4 - Petitioner(s)
Versus
SAJADIYARI SEVA SAHAKARI MANDLI LIMITED & 2 - Respondent(s)

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Appearance :
MR BS PATEL for Petitioner(s) : 1 - 5.
MR NAVIN PAHWA for M/S THAKKAR ASSOC. for Respondent(s) : 1,
None for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MS. JUSTICE R.M.DOSHIT

Date : 24/04/2006

ORAL JUDGMENT

Heard the learned advocates.

RULE returnable today. Mr.Pahwa waives service of rule. With the consent of the learned advocates the matter is taken up for hearing.

The petitioners challenge the order dated 12th April, 2006 made by the Gujarat State Cooperative Tribunal, Ahmedabad in Revision Application No.120/2006. Obviously, the order has been obtained by the respondents in

violation of principle of natural justice. The Tribunal below has entertained and allowed the Revision Application preferred by the respondents on the date it was presented, without calling upon the present petitioners who were party opponents before the Tribunal.

For the aforesaid reasons, the petition is allowed. The impugned order dated 12th April, 2006 made on Revision Application No.120/2006 (Annexure-'A' to the petition) is quashed and set-aside. Rule is made absolute with cost. The respondent No.2 will bear the cost of the petition. The cost is quantified at Rs.2,000=00. The respondents Nos.1 and 3 shall bear their own cost.

(Ms. R.M.Doshit, J.)

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